

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6516**

**BILL NUMBER:** SB 125

**NOTE PREPARED:** Dec 16, 2010

**BILL AMENDED:**

**SUBJECT:** Public Records and Public Meetings.

**FIRST AUTHOR:** Sen. Holdman

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that an officer or management-level employee of a public agency who knowingly or intentionally: (1) violates the open door law; or (2) denies or interferes with a person's request for inspection or copying of a public record or charges a copying fee that exceeds the amount permitted by law; commits a Class C infraction and is personally liable for the judgment and costs.

The bill also prohibits a public agency from charging a fee for a public record transmitted by electronic mail except for a fee charged: (1) for reprogramming a computer system if required to separate the disclosable information from nondisclosable information; or (2) for providing an electronic map.

**Effective Date:** July 1, 2011.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** *Penalty Provision:* The maximum judgment for a Class C infraction is \$500, which would be deposited in the state General Fund. However, any additional revenue is likely to be small.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Jessica Harmon, 317-232-9854.